



## MINUTES

Planning Commission Meeting & Public Hearing

Tuesday, April 11, 2023

Maupin Civic Center (507 Grant Ave.) and virtually on Zoom

<b>Call to Order / Roll Call of City Council and Staff / Pledge of Allegiance</b>	<p>Chair Lauren Whitaker called the meeting to order at 4:35 p.m. Roll Call of Planning Commission and Staff was conducted by City Recorder Christine Wolfe.</p> <p><i>Presiding:</i> Chair Lauren Whitaker</p> <p><i>Commission Present:</i> Suze Riley, Michael Jones</p> <p><i>Commission Absent:</i> Jessie Rose (excused), Andy Kreipe (unexcused)</p> <p><i>Staff Present:</i> City Manager Kevin Lewis, Recorder Wolfe, City Planner Kirk Fatland, Administrative Assistant Bronte Dod</p> <p><i>Visitors Present:</i> Marni Malefyt, Vicki Ballou, Medy Gantz, Michelle Taylor, Andy McFarlane, Tom Troutman, Mark John, Margo Rettig, Ben Gates</p>
<b>Consent Agenda</b>	<p>Commissioner Jones moved to approve the consent agenda as presented. Chair Whitaker seconded. No further discussion. The motion passed unanimously.</p>
<b>Public Comment</b>	<p>No public comment.</p>
<b>Public Hearing: Comprehensive Plan/Zoning Map Amendment to Redesignate 27 Parcels from Medium Density Residential, Industrial, and Open Space to Recreational Commercial</b>	<p>Public notice of the hearing was published on the city website, posted locally, and mailed to property owners. This is a continuation of the public hearing that took place on March 14, 2023.</p> <p>Chair Whitaker opened the hearing to consider a Comprehensive Plan/Zoning Map Amendment to Redesignate 27 Parcels from Medium Density Residential, Industrial, and Open Space to Recreational Commercial at 4:40 p.m. and read the guidelines. No conflicts of interest were declared.</p> <p>Planner Fatland reviewed the staff report and presented a map of the affected properties.</p> <p>Chair Whitaker asked about the timing of the rezoning proposal and the vision for East Maupin. Manager Lewis said the intent is to provide flexibility of use and keep short-term rental (STR) expansion to the east side. The timing is a result of City's planning process. Manager Lewis said that there are no cities that have Open Space zoning designations for privately owned land. Open Space is a zone for public spaces. Recorder Wolfe stated as a reminder that Council wanted the zoning of the area cleaned up. Chair Whitaker asked about properties in the area zoned MDR that have a shared driveway and questioned if RC is appropriate for those properties. Manager Lewis said nothing would change on those properties until the use changed; a change of use application would provide Planning Commissioner with an opportunity to have input on issues like a shared driveway.</p> <p>Chair Whitaker said that rezoning certain properties to RC makes sense, but questions rezoning everything to RC. Fatland said the intent</p>

is to allow additional flexibility of use in the future. If it were rezoned to fit current use, the patchwork of zones would remain. Chair Whitaker said she did not get a clear answer on the intent of rezoning now. Planner Fatland talked about the difference between zoning to fit current use and zoning to allow for future changes. Council's vision was to create a mixed-use area on the east side. Recorder Wolfe said that Council wanted RC in East Maupin because it is not a quiet residential zone and already operating as a mixed-use area. It would keep future STR expansion to the area and not in the rest of Maupin.

Commissioner Jones asked why STRs are tied to the RC zone and why the City didn't own the spaces that are zoned OS. Commissioner Riley replied to question of ownership; the properties in question have historically been privately owned. Commissioner Jones talked about the urban growth boundary (UGB); by rezoning to RC the City is fully using the space within the UGB. The Planning Commission's role is to help with housing, the growth of the city, and help the City fulfill its obligation to maximize the space in the UGB. Commissioner Jones is in favor of moving forward with the proposal.

Commissioner Riley said that after walking the properties, most of the land in OS is probably not developable. If Commissioners are supporting utilizing the UGB, the OS land should be RC. Commissioner Jones said that he supports Oregon's land use and planning goals, and the process for the greater good and livability of everybody.

Recorder Wolfe explained the history of STR regulations in Maupin; the agreement after years of discussion was that STRs would be in RC only so that they are not intermingled in residential zoned areas.

Chair Whitaker asked for public testimony.

**Proponents:**

Margo Rettig (408 and 410 Deschutes Avenue): In favor of supporting staff and professional planning recommendations and commend the thought and work that went in to this proposal. It reduces regulation and increases flexibility, which is what entrepreneurs need in order to bring economic activity to Maupin and build the year-round community. If the City can reduce barriers and allow innovation and ideas to happen, specifically on Main Street, which is designated as all of Highway 197 in city limits, having a business community grow on the east side would be fantastic.

Tom Troutman (621 S US Hwy 197; 99 Bakeoven Road): In favor of residential property zone change to RC, but questions changing the zone of the Industrial property he owns. Chair allowed answer from Planner Fatland. Planner Fatland said the intent is to not mix industrial, residential, and commercial uses. Mr. Troutman said there is not much industrial property left in the City. The property may have environmental issues. Currently being used as fire truck storage. Mr.

Troutman is not in favor of changing 99 Bakeoven Road from Industrial to RC.

Discussion continued about ownership of property and nearby properties and previous zone changes. Manager Lewis said the property is in the Bakeoven watershed and would probably be inappropriate for industrial use. Mr. Troutman said there are fuel tanks in the ground. Planner Fatland said looking at the area as a whole, what would be the conflicts of industrial use if everything else develops around it as RC. Ms. Rettig asked what is Industrial looking forward; there could be cottage industries of other types of use. Mr. Troutman brought up history of old mill site that was zoned industrial and was turned into a public park. Concerned that there is not enough industrial zoned properties in Maupin.

Manager Lewis said true industrial in the sense of the word would never be allowed at that location because of environmental restrictions. The property is split zoned MDR and Industrial. The City should look at better places for where land could be zoned Industrial. The City also created the craft industrial zone, which allows for smaller industry and parcels.

Medy Gantz (504 First Street): Concerned about allowing vacation rentals in RC zones. Is in favor of the concept of rezoning the east side as a whole, but concerned that discussion of the proposal has moved from creating opportunities for small business to accommodating the expansion of STRs in Maupin. Concerned that this proposal will be followed by MDR property owners applying to change their zones to RC; not in favor of expanding RC beyond the east side. Maupin needs a population that lives here full time and not more STRs. In favor of the greater concept of making the east side more of a recreation and commercial area.

Ben Gates (408 and 410 Deschutes Avenue): In support of the proposal because cleaning up zoning will create opportunity. Appreciates the work of staff because it is messy on that side of town. The intent is to reduce regulation and create opportunity. Seems like a good opportunity to provide growth within the UGB. Addressed concerns on what could be developed on the OS properties; it is a steep slope, and those properties can only be divided into 3 parcels by rights, any more development would trigger a subdivision application and commissioners could bring up concerns then. The space may tend to preserve itself by nature of its topography.

Marni Malefyt (200 Williams Avenue) (and on behalf of Mike and Gloria McLucas 1002 and 607 S Hwy 197): It's not a quiet neighborhood on the east side; it's already very recreational. In favor of open space rezoned. Although there is very little that can be built, there is potential to build toward the highway and would like to be included in the rezone to have that opportunity.

Recorder Wolfe reviewed response from County about taxes; nothing will change on property taxes until the use of the property changes. Chair Whitaker asked about the shared driveway on two properties for MDR. Recorder Wolfe said if that should change, the land use application would provide an opportunity to address the concerns.

Chair Whitaker closed hearing at 5:25 p.m. and moved to commissioner deliberation.

Commissioner Riley addressed STR comment from Medy Gantz. There is space for Planning Commission and Council to regulate STRs if they started expanding around the city. Commissioner Riley said that STRs don't make sense economically and no one is going to buy a property in Maupin just for an STR. Commissioner Riley is in favor of whole proposal.

Chair Whitaker asked if Planning Commission can do any spot zoning. Staff and Planner advised about excluding certain properties zoned industrial. Chair Whitaker said there were concerns about contaminants on the industrial property owned by Mr. Troutman. Manager Lewis said his business is fine operating in the current zoning; if the property zone was changed the use would still be allowed. Commission should be looking for areas in the city for appropriate places for industrial land.


Commissioner Riley is not in favor of leaving industrial land in the watershed. Mr. Troutman said it's not in the watershed. There was discussion about where properties are currently zoned Industrial.

Commissioner Riley moved to recommend to City Council a comprehensive plan/zoning map amendment to rezone the listed 27 parcels, from Medium Density Residential, Industrial, and Open Space to Recreational Commercial. Commissioner Jones seconded the motion. No further discussion. The motion passed unanimously.

<b>Discussion: Food Cart Draft Ordinance Review</b>	Commissioners discussed food carts and reached a consensus to present an amended Food Cart Pilot Program ordinance to Council in order to extend the pilot program an additional year and gather more information.
<b>Adjourn</b>	The next meeting will take place on Tuesday, May 9 at 4:30 p.m. The meeting was adjourned at 5:40 p.m.

Respectfully Submitted by Christine Wolfe, City Recorder

SIGNED:   
Lauren Whitaker, Planning Commission Chair

ATTEST:   
Christine Wolfe, City Recorder